

ORDINANCE NO. 970814-D

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE CITY CODE AS FOLLOWS:

1.28 ACRE TRACT OF LAND OUT OF THE ALEXANDER DUNLAP SURVEY NO. 805 FROM "SF-2" SINGLE FAMILY RESIDENCE (STANDARD LOT) DISTRICT TO "GR-CO" COMMUNITY COMMERCIAL DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT, LOCALLY KNOWN AS 11412 F.M. HIGHWAY 2222, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Zoning Map established by Chapter 13-2-22 of the City Code is amended to change the base zoning district from "SF-2" Single Family Residence (Standard Lot) district to "GR-CO" Community Commercial district-Conditional Overlay combining district on the property (the "Property") described in File C14-97-0006, as follows:

1.28 acre tract of land out of the Alexander Dunlap Survey No. 805, in Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

locally known as 11412 F.M. Highway 2222, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following condition:

Notwithstanding any other provision of the City Code applicable to the Property on the effective date of this ordinance or at the time an application for approval of a site plan or building permit is submitted, no site plan for development of the Property, or any portion of the Property, may be approved or released, and no building permit for construction of a building on the Property, may be issued if the completed development or uses authorized by the proposed site plan or building permit, considered cumulatively with all existing or previously authorized development and uses of the Property, generates traffic exceeding the total traffic generation of 2,000 vehicle trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the "GR" Community Commercial base district and other applicable requirements of the City Code.

PART 3. The Council waives the requirements of Sections 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

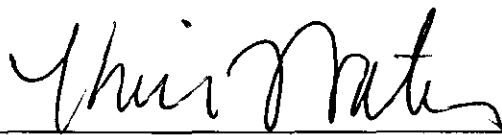
PART 4. This ordinance takes effect on August 25, 1997.

PASSED AND APPROVED

August 14

, 1997.

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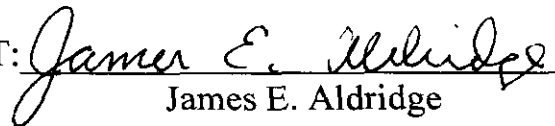
Kirk Watson
Mayor

APPROVED:



Andrew Martin
City Attorney

ATTEST:



James E. Aldridge
City Clerk

1.280 ACRES
BROWN TRACT ZONING
H.E. BUTT GROCERY CO.

FN.NO.96-317(PLE)
DECEMBER 6, 1996
BPI JOB NO. 449-47.00

DESCRIPTION

OF A 1.280 ACRE TRACT OF LAND OUT OF AND PART OF THE ALEXANDER DUNLAP SURVEY NO. 805, SITUATED IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT TRACT OF LAND CALLED 1.16 ACRES IN A DEED TO J. TIM BROWN, TRUSTEE, OF RECORD IN VOLUME 8227, PAGE 895, OF REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT TRACT OF 5,179 SQUARE FEET OF LAND CONVEYED TO J. TIM BROWN, TRUSTEE, BY DEED RECORDED IN VOLUME 8227, PAGE 900 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 1.280 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a iron pipe found on the curving easterly RIGHT-OF-WAY line (100' R.O.W.) OF F.M. 2222, being the southwest corner of the said 1.16 acre tract, and being the northwest corner of that tract of land called 0.889 acres in a deed to Scott Broaddus Jr., of record in Volume 7583, Page 535, of the Real Property Records of Travis County, Texas, for the southwest corner hereof;

THENCE, along the said curving RIGHT-OF-WAY of F.M. 2222, along a curve to the left, having a radius of 1482.69 feet, a central angle of 09°50'59" an arc distance of 254.89 feet and chord which bears N35°34'24"W, a distance of 254.57 feet to a 1/2" iron rod found at the southwest corner of that tract of 5,243 square feet of land conveyed to Brown Properties by deed recorded in Volume 8124, Page 465, of the Real Property Records of Travis County, Texas, being the northwest corner of the said 5,179 sq.ft. tract, for the northwest corner hereof;

THENCE, N26°39'35"E, leaving the northerly RIGHT-OF-WAY line of F.M. 2222, along the common line between the said 5,179 sq.ft. tract and the said Brown Properties tract, a distance of 208.54 to a 1/2" iron rod set at the northeast corner of the said 5,179 sq.ft. tract, being the southeast corner of the said Brown Properties tract, and being on the west line of a 308.583 acre tract of land conveyed to P-WB Venture by Deed in Volume 8694, Page 679 of the Real Property Records of Travis County, Texas, for the northeast corner hereof;

THENCE, S36°27'31"E, along the common line between the said 5,179 sq. ft. tract and the said 308.583 acre tract, a distance of 28.03 feet to a 1/2" iron rod found at the northeast corner of the said 1.16 acre tract;

THENCE, S35°56'10"E, along the common line between the said 1.16 acre tract and the said 308.583 acre tract, a distance of 326.54 feet to a 1/2" iron rod found at the southeast corner of the said 1.16 acre tract, being the northeast corner of the said 0.889 acre tract, for the southeast corner hereof;

EXHIBIT "A"

976814-D

FN. NO. 96-317 (PLE)


DECEMBER 6, 1996

PAGE 2 OF 2

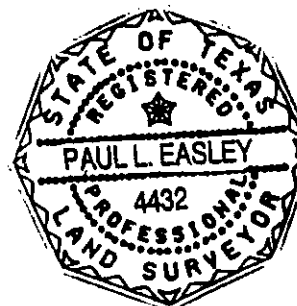
THENCE, S55°17'16"W, along the common line between the said 1.16 acre tract and the said 0.889 acre tract, a distance of 187.08 feet to the **POINT OF BEGINNING**, containing an area of 1.280 acres (55,762 sq. ft.) of land, more or less, within these metes and bounds.

I, PAUL L. EASLEY, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY & PITTMAN, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVES ROAD, SUITE 200
AUSTIN, TEXAS 78746


PAUL L. EASLEY
NO. 4432
STATE OF TEXAS

12/6/96
DATE



970814-D

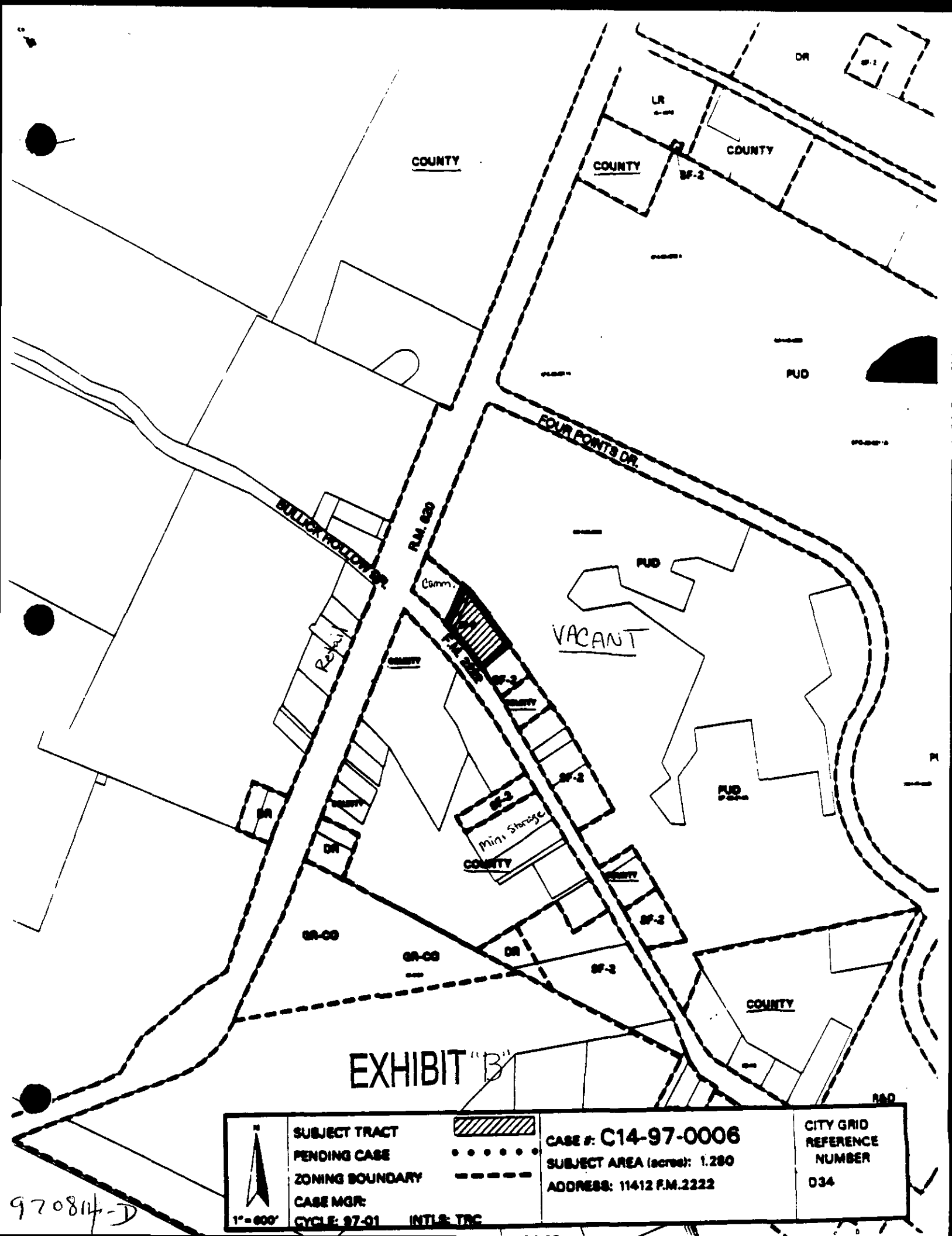






EXHIBIT "B"

 1" = 600'	SUBJECT TRACT		CASE #: C14-97-0006 SUBJECT AREA (acres): 1.280 ADDRESS: 11412 F.M.2222	CITY GRID REFERENCE NUMBER 034
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR: CYCLE: 97-01	INTLS: TRC		

970814-D

Austin American-Statesman

PO#: 970814D
Ad ID#: 8JM400700
Acct#: 5124992499
Account Name: CITY CLERKS OFFICE

CITY CLERKS OFFICE
PO BOX 1088
AUSTIN, TX 78767

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis,
State of Texas, on this day personally appeared:

TAYLOR STARR

Classified Advertising Agent of the Austin American-Statesman, a daily newspaper
published in said County and State that is generally circulated in Travis, Hays, Burnet
and Williamson Counties, who being duly sworn by me, states that the attached
advertisement was published in said newspaper on the following dates, to wit:

First Published:	8/21/97	Last Published:	8/21/97
Times Published:	1	Classification:	9980
Lines:	17	Cost:	\$44.54

and that the attached is a true copy of said advertisement.

SWORN AND SUBSCRIBED TO BEFORE ME, this the 21st day of Aug 1997



Sharon Janak
Notary Public in and for
TRAVIS COUNTY, TEXAS

305 South Congress Ave., P.O. Box 670, Austin, Texas 78767-0670 512-445-3541

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Mayor, Kirk Watson
City of Austin